

PTO/SB/52 (07-03)

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REISSUE APPLICATION DECLARATION BY THE ASSIGNEE

Docket Number (optional)

T068 / TELNP120USA

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I hereby declare that:

JAN 11 2005

The residence, mailing address and citizenship of the inventors are stated below.

OFFICE OF PETITIONS

I am authorized to act on behalf of the following assignee: Symbol Technologies, Inc.and the title of my position with said assignee is: Corporate Counsel

The entire title to the patent identified below is vested in said assignee.

Inventor James M. CisarCitizenship United StatesResidence/Mailing Address 8770 North Kane Road, Wadsworth, Ohio 44281

Inventor

Citizenship

Residence/Mailing Address

☐ Additional inventors are named on separately numbered sheets attached hereto.Patent Number 5,931,873Date of Patent Issued August 3, 1999Title of Invention PROGRAMMABLE MOBILE DEVICE WITH THUMB WHEEL

I believe said inventor(s) to be the original and first inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled:

the specification of which

☐ is attached hereto.☒ was filed on August 2, 2001 as reissue application number 09 / 921,103and was amended on _____
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

☐ I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/02B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.☐ by reason of other errors.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.176. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Approved for use through 01/31/2004. OMB 0651-0033
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REISSUE APPLICATION DECLARATION BY THE ASSIGNEE

Docket Number (Optional)

At least one error upon which reissue is based is described as follows:

One of the reasons upon which reissue is based is due to the patentee failing to claim subject matter relating to a portable device comprising a housing, a bar code reader, and, a thumb wheel a thumb wheel adapted to facilitate user interaction with the portable device, the thumb wheel including a wheel portion rotatable about an axis, the wheel portion being selectably rotatable about the axis to facilitate a user selecting at least one function from a plurality of functions displayed on the display, and at least a portion of the thumb wheel extending from the housing, the wheel portion being transaxially moveable and wherein transaxial movement of the wheel portion initiates selection of the at least one function as set forth in newly added claim 23. This failure caused the patentee to claim less than he had the right to claim in the patent. This subject matter is shown in Figure 1 and is discussed in the patent, for example, at column 3, lines 37-50 and column 4, lines 42-28.

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

I hereby appoint:

☐ Practitioners at Customer Number:

OR

☒ Practitioner(s) named below:

Name	Registration Number
Himanshu S. Amin	40,894
Jeffrey R. Sadowski	47,914

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Correspondence Address: Direct all communications about the application to:

☐ Customer Number: 23623

OR

<input checked="" type="checkbox"/> Firm or Individual Name	Himanshu S. Amin				
Address	24th Floor, National City Center				
Address	1900 East Ninth Street				
City	Cleveland	State	Ohio	Zip	44114
Country	United States				
Telephone	(216) 696-8730	Fax	(216) 696-8731		

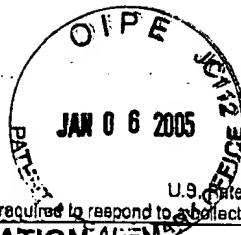
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of person signing (given name, family name)

Signature *Glenn Frankenberg*

Date 10/23/03

Address of Assignee
One Symbol Plaza, Holtsville, New York, 11742



PTO/SB/55 (05-03)

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App. for use through 01/31/2004. OMB 0851-0033
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REISSUE PATENT APPLICATION STATEMENT AS TO LOSS OF ORIGINAL PATENT

Docket Number (Optional)

T068/ TELNP120USA

I hereby state that:

I am the applicant for a reissue patent based on the original patent identified below.

Name of Inventor(s)/Assignee(s)

James M. Cisar

Patent Number

5,931,873

Title of Invention

PROGRAMMABLE MOBILE DEVICE WITH THUMB WHEEL

Reissue application number (if known)

09/921,103

The ribboned original patent grant is lost or inaccessible.

Signature

Typed or printed name

Glenn Frankengerger

Date

10/23/03

Title (e.g., inventor(s), officer of assignee)

Corporate Counsel, Symbol Technologies, Inc.

This collection of information is required by 37 CFR 1.178. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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